

**MINUTES**  
**COMMITTEE ON LAW & LICENSING**

**January 29, 2013 - 2:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske  
**Others in Attendance:** City Attorney Stephen McLean, Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Chad Pelishek, Mike Pappas, Heidi K. Kussard, John A. Meise, Sherri L. Roerdink, Kathleen A. Schroeder, Kendra L. Udovich, David J. McKenzie, Duane T. Post, Thomas Laiken, Michael Evans, Steven Nytsch, Mark J. Prucha, Angel L. Esteves, Brenda J. Villarreal, Mario A. Galicia, Elizabeth M. Dawson, Penny A. Hinz, Curt Hinz, Nathan L. Bogenschuetz

Chairperson VanderWeele called the meeting to order at 2:01 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held January 15, 2013 was made by Ald. Lessard and seconded by Ald. Lewandoske. **All ayes; motion approved.**

**Discussion and possible action regarding the weights and measures requirement in the taxicab regulation ordinance**

Mike Pappas, weights and measures field supervisor from the State of Wisconsin, appeared to discuss some suggestions for improving the taxicab regulation ordinance. Lengthy discussion regarding the role of the weights and measures office and also the possibility of the City regulating all rates in the future. Ald. Lessard moved, seconded by Ald. Lewandoske, to prepare a draft ordinance changing the taxi licensing period to December 31st, including the license year on stickers, ensuring that taxi meters don't get moved from taxi to taxi (sealed meter should be sealed to vehicle), and requiring uniformity as to fraction of mile charged, and to also look into the possibility of regulating all rates. **All ayes; motion approved.**

**R.C. No. 337-12-13 (1-21-13) – Bev. Op. Lic. App. No. 6744 (Deaven Dodge)**

Deaven Dodge, for the third time, failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Dodge's failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the committee. **All ayes; motion approved.**

**R.O. No. 141-12-13 (9-17-12) – Various License Applications: Taxicab Op. Lic. App. No. 9049 (Justin E. Quade)**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Quade's appearance before the committee at its February 12th meeting. **All ayes; motion approved.**

**R.O. No. 211-12-13 (12-3-12) – Various License Applications: Taxicab Op. Lic. App. Nos. 5902 (Amy L. Belekevich), 9812 (Vincent E. Kropuenske)**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Amy L. Belekevich failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Belekevich's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. **All ayes; motion approved.**

Vincent E. Kropuenske failed to appear before the committee, but had appeared at the meeting on January 15, 2013 to discuss his application. Ald. Lessard moved, seconded by Ald. Kath, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

**R.O. No. 226-12-13 (12-17-12) – Various License Applications: Bev. Op. Lic. App. Nos. 2195 (Heidi K. Kussard), 9825 (John A. Meise), 4338 (Sherri L. Roerdink), 9829 (Kathleen A. Schroeder), 8927 (Kendra L. Udovich); Taxicab Op. Lic. App. Nos. 8177 (David J. McKenzie), 9833 (Duane T. Post)**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Heidi K. Kussard appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Lessard moved, seconded by Ald. Kath, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

John A. Meise appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Sherri L. Roerdink appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Matichek, to grant the license. **Four ayes and one nay (Ald. Lessard); motion approved.**

Kathleen A. Schroeder appeared before the committee to discuss her application. Ms. Schroeder was informed that she is ineligible for a beverage operator's license due to the manufacture/delivery of cocaine conviction from 2002. She indicated that she has hired an attorney and is attempting to obtain a pardon. Ald. Matichek moved, seconded by Ald. Kath, to deny the license application based upon Ms. Schroeder's ineligibility for the license. **All ayes; motion approved.**

Kendra L. Udovich appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Matichek, to deny the license application based upon Ms. Udovich's record of violations related to the licensed activity. **All ayes; motion approved.**

David J. McKenzie appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Duane T. Post appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

**R.O. No. 236-12-13 (1-7-13) – Various License Applications: “Class B” Liquor Lic. App. No. 2953-Night Moves I (Michael J. Evans, Agent, and Steven Nytsch, President); Bev. Op. Lic. App. No. 9849 (Mark J. Prucha); Taxicab Op. Lic. App. Nos. 9791 (Angel L. Esteves), 9844 (Terry M. Rondeau), 6657 (Jessica Scheibl), 7760 (Brenda J. Villarreal), 9847 (James J. White)**  
Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Michael J. Evans, Steven Nytsch and Thomas Laiken appeared before the committee to discuss the Night Moves I application. Mr. Evans indicated they are interested in a regular license and not a reserve license. Following a brief discussion, it was determined that they would need to make a presentation for a license in two weeks, at which time there would be further discussion regarding Walter Jacoby who would be working behind the scenes as their bar manager. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application. **All ayes; motion approved.**

Mark J. Prucha appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Matichek moved, seconded by Ald. VanderWeele, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Two ayes and three nays (Ald. Kath, Ald. Lessard and Ald. Lewandoske); motion failed.** Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Prucha’s failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. **Three ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion approved.**

Angel L. Esteves appeared before the committee to discuss his application. After discussion of his record, including a new violation which occurred a few days ago, Ald. Lessard moved, seconded by Ald. Matichek, to deny the license application based upon Mr. Esteves’ record of violations related to the licensed activity. **All ayes; motion approved.**

Terry M. Rondeau failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Rondeau’s appearance before the committee at its February 12th meeting. **All ayes; motion approved.**

Jessica Scheibl failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Scheibl’s appearance before the committee at its February 12th meeting. **All ayes; motion approved.**

Brenda J. Villarreal appeared before the committee to discuss her application. After discussion of her record, Ald. Matichek moved, seconded by Ald. Kath, to deny the license application based upon Ms. Villarreal's record of violations related to the licensed activity. **Four ayes and one nay (Ald. Lessard); motion approved.**

James J. White failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Kath, to request via certified mailing Mr. White's appearance before the committee at its February 12th meeting. **All ayes; motion approved.**

**Possible action regarding Taxicab Business Lic. No. 2887-Abby 1 Taxi, LLC (Jorge A. Galicia, Agent) and Taxicab Op. Lic. No. 7740 (Mario A. Galicia)**

Mario A. Galicia appeared before the committee to discuss his accident on December 28, 2012 while driving a taxicab which resulted in an OWI citation. Ald. Lessard moved, seconded by Ald. Lewandoske, to request that Mario A. Galicia voluntarily surrender his taxicab operator's license permanently within ten days. **All ayes; motion approved.**

Jorge A. Galicia failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Lewandoske, to schedule a quasi-judicial hearing regarding Abby 1 Taxi, LLC's taxicab business license. **All ayes; motion approved.** However, it was determined after the meeting that Abby 1 Taxi, LLC had never been issued a license. Abby Taxi is the business that was issued a license and Abby Taxi has been in operation under the direction of Mario Galicia. Therefore, the committee should actually call in Christine Stangel, since she is the agent for the only Abby Taxi business actually open.

**Possible action regarding Alc. Bev. Lic. No. 2774-Union Ave Tap (Kevin R. Fetterer, Agent) and Bev. Op. Lic. No. 7020 (Elizabeth M. Dawson)**

Kevin R. Fetterer failed to appear, but had contacted the City Attorney's Office to indicate that he was unable to appear. Mr. Fetterer was instructed to appear at the February 12th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the matter until the February 12th meeting and to call in Mr. Fetterer by regular mail. **All ayes; motion approved.**

Elizabeth M. Dawson appeared before the committee to discuss the over-serving incident of December 20, 2012. Ms. Dawson indicated she has been bartending for 28 years. She feels that several of the people involved in the disturbance were already intoxicated when they came into the bar. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Elizabeth M. Dawson regarding the over-serving incident on December 20, 2012. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2100-Whats Up (Penny A. Hinz, Agent) and Bev. Op. Lic. No. 5171 (Nathan L. Bogenschuetz)**

Penny Hinz, Curt Hinz and Nathan L. Bogenschuetz appeared before the committee to discuss the disturbance at What's Up on September 22, 2012. Mr. Bogenschuetz informed the committee that he was a patron at What's Up when two people started fighting and that he and a bouncer separated

them and took them outside. Mr. Hinz stated that their policy is that off duty employees are not to get involved in situations and that Mr. Bogenschuetz had been reprimanded for his behavior. Ald. Lessard moved, seconded by Ald. Lewandoske, to take no action. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2593-Classics (Dennis O. Doyle, Agent)**

ACA Adams informed the committee that Dennis Doyle had contacted him and indicated he would be turning in the license on January 30th.

**Gen. Ord. No. 47-12-13 (1-21-13)**

An ordinance repealing and recreating Article III of Chapter 30 of the Municipal Code relating to regulation and licensing of massage technicians and massage establishments

ACA Adams explained that this ordinance simply removes City licensing for individual massage therapists as that area has been taken over by the State and cities are no longer permitted to license or regulate individual therapists. Ald. Matichek moved, seconded by Ald. Kath, to approve the proposed ordinance and submit it to the common council with a favorable recommendation. **All ayes; motion approved.**

**R.O. No. 246-12-13 (1-21-13) – Various License Applications**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Matichek moved, seconded by Ald. Lessard, to amend R.O. 246-12-13 to show the correct name of Bev. Op. Lic. App. No. 9859 (Danielle N. Hoepfner) and to grant a license to App. No. 9859. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to amend R.O. 246-12-13 to show the correct name of Bev. Op. Lic. App. No. 7074 (Jack B. Schepp). **All ayes; motion approved.** Ald. Matichek moved, seconded by Ald. Kath, to call in App. No. 7074 to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to amend R.O. 246-12-13 to show the correct name of Bev. Op. Lic. App. No. 6306 (Virginia Vallejo) and to grant a license to App. No. 6306. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Bev. Op. Lic. App. No. 9853 (Jessica M. Wehmeyer). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to amend R.O. 246-12-13 to show the correct name of Bev. Op. Lic. App. No. 9351 (Javier F. Yera). **All ayes; motion approved.** Ald. Matichek moved, seconded by Ald. Kath, to call in App. No. 9351 to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 3254 (Shantell M. Randall) to discuss her application with the committee. **Four ayes and one abstention (Ald. VanderWeele); motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9861 (Matthew P. Scheidel) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **All ayes; motion approved.**

**Discussion and possible action regarding law violations that may require future action by the Committee**

Brief discussion regarding Zieggys' being closed for over six months in violation of the continuation of business ordinance. Ald. Lessard moved, seconded by Ald. Matichek, to call in Alc. Bev. Lic. No. 1693-Zieggys II (Martin L. Corson, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

Brief discussion regarding Bomallies holding a license for six month without opening, in violation of the continuation of business ordinance. Ald. Kath moved, seconded by Ald. Matichek, to call in Alc. Bev. Lic. No. 2919-Bomallies (Marc J. Ehler, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

Brief discussion regarding All Star Taxi's rate sheet and also a recent violation. Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Business Lic. No. 2525-All Star Taxi I (Jose A. Razo, Agent) to discuss the matters with the committee. **All ayes; motion approved.**

Brief discussion regarding VIP Taxi's rate sheet. Ald. Lessard moved, seconded by Ald. Lewandoske, to call in Taxicab Business Lic. No. 2847-VIP Taxi LLC (Abraham Loya, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

After hearing a brief report from Lt. Teunissen regarding Hops Haven being open after hours on January 25th, Ald. Matichek made a motion, seconded by Ald. Lessard, to call in Alc. Bev. Lic. No. 2849-Hops Haven (Dennis John Altmeyer, Agent) and Bev. Op. Lic. No. 9706 (Bailey E. Dolson) to discuss the matter with the committee. **All ayes; motion approved.**

Ald. Lessard made a motion to adjourn. Ald. Kath seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 4:45 p.m.

The next committee meeting is scheduled to be held on Tuesday, February 12, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.